Payment of Bonus (Amendment Ordinance, 1995.

THE PAYMENT OF BONUS (AMENDMENT) BILL, 1995

THE MINISTER OF LABOUR (SHRI P.A. SANGMA): Madam, I beg to move for leave to introduce a Bill further to amend the Payment of Bonus Act, 1965.

The question was put and the motion was adopted.

SHRI P.A. SANGMA: Madam, I introduce the Bill.

THE TRADEMARKS BILL, 1995

SHRI MISA R. GANESAN (Tamilnadu): Madam, what about Zero Hour mentions?

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Just a minute. Let him finish.

THE MINISTER OF INDUSTRY (SHRI K. KARUNAKARAN): Madam, I move:

> "That the Bill to amend and consolidate the law relating to trade marks to provide for registration and better protection of trade marks for goods and services and for the prevention of the use of fraudulent marks, as passed by the Lok Sabha, be taken into consideration."

The Trade Marks Bill, 1995 seeks to amend the Trade and Merchandise Marks Act, 1958. The need has arisen to amend the Trade and Marchandise Marks Act because of developments in trading and commerical practices in India and abroad. There is also a need to encourage investment flows and transfer of technology apart from the need for simplification and harmonisation of trade mark management system and to give effect to important judicial decisions.

The most significant amendments proposed in the Bill are provision for registration of trade mark for services, provision of collective marks and establishment of appellate boards for speedy disposal of appeals and rectification applications.

The Bill which was introduced in the Lok Sabha in April, 1993 was referred to the Department-Related Parliamentary Standing Committee on Industry. The Committee presented its report on the Bill in April, 1994 making suggestions for amendments in certain sections. The Government have agreed with the suggestions of the Committee and have accepted the amendments. The amendments were incorporated in the Bill and the same were passed by the Lok Sabha on 29th May, 1995.

I now ask for leave of this august House to take the Bill into consideration.

The question was proposed.

SHRI ASHOK MITRA (West Bengal): Madam, I do not want to be discourteous to the Minister. This is the first Bill he is moving in this august House. Our best wishes are with him.

SHRI K. KARUNAKARAN: Thank you.

SHRI ASHOK MITRA: I have only a small point to make. He did mention that this Bill was referred to the Parliamentary Standing Committee on Industry and certain recommendations were made by that Committee. I wish, while submitting this Bill, the Government appended a short note indicating the specific areas where the amendments have been accepted. That would have enlightened us.

I have a second issue which is equally important. In the discussions in the Committee, it was pointed out that many of the recommendations by the Government which have been incorporated in this Bill have been in anticipation of a change in the Indian Patents Act pursuant to the agreement that the Government had signed with the World Trade Organisation. But that Act has not yet been amended and I wonder